

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 33858 of 2007(E)

PETITIONER:

M.KRISHNAN,
SELECTION GRADE ACCOUNTANT, SUB TREASURY,
NILESWARAM, KASARAGOD DISTRICT.

BY ADV. SRI.M.SASINDRAN

RESPONDENTS:

1. THE SUB TREASURY OFFICER,
SUB TREASURY, NILESHWARAM.
2. THE DISTRICT TREASURY OFFICER,
KASARAGOD DISTRICT.
3. THE DIRECTOR OF TREASURIES,
THIRUVANANTHAPURAM.
4. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, FINANCE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V.GIRI,J.

W.P (C) No. 33858 of 2007

Dated this the 19th November, 2007

J U D G M E N T

The petitioner who is working as Selection Grade Accountant is aggrieved by the refixation and consequent deduction of scale of pay granted to him in the post of Selection Grade Accountant as per Exhibit-P10 order dated 15.2.2007. Perusal of Exhibits P12 and P13 will show that apparently respondents have proceeded on the premise that benefits earlier granted to the petitioner has been cancelled, but this has not been taken into account in the course of fixation of the petitioner's pay in the promoted cadre. In other words respondents have proceeded on the premise that there is an error in the fixation of the petitioner's pay scale in the post of Selection Grade Accountant also. Be that as it may I do not propose to express any final opinion in this regard. It is proper for the petitioner to move the Government against Exhibits P12 and P13. Petitioner may therefore file a representation before the 4th respondent, within a period of six weeks from the date of receipt of a copy of this judgment treating Exhibits P12 and P13 as show cause notices, in which event, the 4th respondent after

hearing the petitioner shall take a decision thereon, within three months thereafter. The petitioner's pay in the post of Selection Grade Accountant fixed under Exhibit-P11 will continue to be operative till orders are passed by the Government in this regard.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007